

SECOND REGULAR SESSION

SENATE BILL NO. 1215

92ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR GRIESHEIMER.

Read 1st time February 4, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

4449S.011

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to subrogation rights of public entities.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 376, RSMo, is amended by adding thereto one new section, to be known as section 376.433, to read as follows:

376.433. 1. Any public entity which provides, furnishes, or pays for hospital, medical, surgical, or other health care services under a plan of self-insurance to an employee or to any other person covered under the public entity's plan of self-insurance may require reimbursement of any medical claims paid by the public entity's self-insured plan for which there was third-party liability. As to this right, the public entity shall be subrogated to any right or claim that the employee or covered person has against such third party to the extent of the reasonable value of the care, treatment, and benefits provided under the self-insured plan. The public entity may require the employee or covered person to assign his or her claim or cause of action against the third party to the extent of that right or claim.

2. As used in this section, the term "public entity" shall have the same meaning ascribed to it in section 107.170, RSMo.

3. The term "third party" shall not include supplemental health insurance benefits where the insurance premiums are paid entirely by an employee of the public entity.

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